

***[NO MINUTES WERE GENERATED FOR
WEDNESDAY, NOVEMBER 11, 2009,
IN OBSERVANCE OF VETERAN'S DAY.]***

2042

**SUPREME COURT MINUTES
THURSDAY, NOVEMBER 12, 2009
SAN FRANCISCO, CALIFORNIA**

S163811 B195197 Second Appellate District, Div. 5 **PEOPLE v. CONCHA
(REYES)**

Opinion filed: Judgment reversed and remanded

We agree with the Court of Appeal that first degree murder liability can be established in a provocative act murder case. However, under our decision in *McCoy, supra*, 25 Cal.4th 1111, the instructions on first degree murder for the death of Sanchez failed to require the jury to find whether each defendant personally acted willfully, deliberately, and with premeditation during the course of the attempted murder of Harris. Accordingly, we reverse the judgment of the Court of Appeal and remand the matter to that court for further proceedings consistent with this opinion. Majority Opinion by Chin, J.

-- joined by George, C. J., Kennard, Baxter, Werdegarr, Moreno, and Corrigan, JJ.

S175914 A121673 First Appellate District, Div. 3 **FUENTES (VICENTE) v.
RENT-A-CENTER, INC.**

The time for granting or denying review in the above-entitled matter is hereby extended to December 24, 2009.

S176244 C058413 Third Appellate District **PEOPLE v. FIELDS
(JOHNNIE LEE)**

The time for granting or denying review in the above-entitled matter is hereby extended to December 23, 2009.

S176330 B209082 Second Appellate District, Div. 1 **PEOPLE v. LEMUS (JOSHUA)**
The time for granting or denying review in the above-entitled matter is hereby extended to December 23, 2009.

S176457 B216806 Second Appellate District, Div. 4 **DELACRUZ (JERRY EMERY)
ON H.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to

December 18, 2009.

S176461 B218604 Second Appellate District, Div. 1 **VAN HOUTEN (LESLIE) ON H.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to December 18, 2009.

S176500 A118184 First Appellate District, Div. 4 **PEOPLE v. MARTINEZ (JORGE JAVIER)**

The time for granting or denying review in the above-entitled matter is hereby extended to December 28, 2009.

S176509 B207616 Second Appellate District, Div. 8 **PEOPLE v. MOORE (KYRON JOHNALEXA)**

The time for granting or denying review in the above-entitled matter is hereby extended to December 21, 2009.

S176539 E045559 Fourth Appellate District, Div. 2 **PEOPLE v. LOPEZ (LARRY FRANK)**

The time for granting or denying review in the above-entitled matter is hereby extended to December 28, 2009.

S176542 C062805 Third Appellate District **JORDAN (PAUL) ON H.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to December 21, 2009.

S176544 A125964 First Appellate District, Div. 4 **EDWARDS (LARRY) ON H.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to December 22, 2009.

S176554 B208600 Second Appellate District, Div. 6 **PEOPLE v. AHMADPOUR (ABULGHASEN)**

The time for granting or denying review in the above-entitled matter is hereby extended to December 23, 2009.

S176560 B198592 Second Appellate District, Div. 8 **PEOPLE v. ROBINSON
(CORY QURAN)**

The time for granting or denying review in the above-entitled matter is hereby extended to December 23, 2009.

S176565 A126038 First Appellate District, Div. 2 **BRYANT (RODNEY ALTON)
ON H.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to December 23, 2009.

S176574 F056729 Fifth Appellate District **PEOPLE v. VILLALOBOS
(RAMIRO)**

The time for granting or denying review in the above-entitled matter is hereby extended to December 28, 2009.

S176627 B218335 Second Appellate District, Div. 3 **SMITH (JOHNNY COVAL)
ON H.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to December 21, 2009.

S176629 H034641 Sixth Appellate District **HATTON (NOLAN) v. S.C.
(PEOPLE)**

The time for granting or denying review in the above-entitled matter is hereby extended to December 24, 2009.

S176630 B209611 Second Appellate District, Div. 1 **PEOPLE v. PATTERSON
(STEPHEN)**

The time for granting or denying review in the above-entitled matter is hereby extended to December 24, 2009.

S176633 B218559 Second Appellate District, Div. 6 **SARDELLA-LAGOMARSINO
(MARC) ON H.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to December 24, 2009.

S176637 F056112 Fifth Appellate District

IN RE A.B.

The time for granting or denying review in the above-entitled matter is hereby extended to December 24, 2009.

S176638 B204863 Second Appellate District, Div. 1

**PEOPLE v. GRAHAM (BORIS
GEORGE)**

The time for granting or denying review in the above-entitled matter is hereby extended to December 29, 2009.

S176640 A119997 First Appellate District, Div. 4

**PEOPLE v. POWERS
(ANDREW DALE)**

The time for granting or denying review in the above-entitled matter is hereby extended to December 24, 2009.

S176641 B204561 Second Appellate District, Div. 8

**PEOPLE v. FLORES
(CARLOS)**

The time for granting or denying review in the above-entitled matter is hereby extended to December 24, 2009.

S176644 B211536 Second Appellate District, Div. 6

**PEOPLE v. GLASS
(CHARLES JAMES)**

The time for granting or denying review in the above-entitled matter is hereby extended to December 24, 2009.

S176647 E049136 Fourth Appellate District, Div. 2

BARBER (JEWELL) ON H.C.

The time for granting or denying review in the above-entitled matter is hereby extended to December 24, 2009.

S176648 C057403 Third Appellate District

**PEOPLE v. CANON (JUSTIN
DALE)**

The time for granting or denying review in the above-entitled matter is hereby extended to December 30, 2009.

S176651 D055629 Fourth Appellate District, Div. 1 **BROWN II (WILLIAM ODESSA) ON H.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to December 24, 2009.

S176658 B209739 Second Appellate District, Div. 6 **PEOPLE v. ARGO (DAVID CLYDE)**

The time for granting or denying review in the above-entitled matter is hereby extended to December 28, 2009.

S176662 B218704 Second Appellate District, Div. 3 **PATTERSON (KELVIN) ON H.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to December 24, 2009.

S176679 G042508 Fourth Appellate District, Div. 3 **GONZALES (RICHARD) ON H.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to December 28, 2009.

S176691 A120335 First Appellate District, Div. 4 **PEOPLE v. CARRUTH (ANTOINE RAMONT)**

The time for granting or denying review in the above-entitled matter is hereby extended to December 24, 2009.

S176694 F056424 Fifth Appellate District **IN RE N.G.**

The time for granting or denying review in the above-entitled matter is hereby extended to December 28, 2009.

S176701 B209493 Second Appellate District, Div. 4 **PEOPLE v. DOWELL (RICKEY TRIMAINE)**

The time for granting or denying review in the above-entitled matter is hereby extended to December 28, 2009.

S176710 C059218 Third Appellate District

**PEOPLE v. WILLIAMS
(ANTHONY)**

The time for granting or denying review in the above-entitled matter is hereby extended to December 29, 2009.

S176719 G042623 Fourth Appellate District, Div. 3

NGUYEN (THANH) ON H.C.

The time for granting or denying review in the above-entitled matter is hereby extended to December 29, 2009.

S176730 D053134 Fourth Appellate District, Div. 1

**COFFMAN SPECIALTIES,
INC. v. DEPARTMENT OF
TRANSPORTATION**

The time for granting or denying review in the above-entitled matter is hereby extended to December 24, 2009.

S176739 E046024 Fourth Appellate District, Div. 2

**PEOPLE v. GONZALES
(LEROY)**

The time for granting or denying review in the above-entitled matter is hereby extended to December 28, 2009.

S176740 B208944 Second Appellate District, Div. 8

**LONE STAR SECURITY &
VIDEO, INC. v. BUREAU OF
SECURITY &
INVESTIGATIVE SERVICES**

The time for granting or denying review in the above-entitled matter is hereby extended to December 29, 2009.

S176744 A118740 First Appellate District, Div. 2

**PEOPLE v. LOWERY
(FRANKLIN CARTER)**

The time for granting or denying review in the above-entitled matter is hereby extended to December 30, 2009.

S176745 B218923 Second Appellate District, Div. 3

**JOHNSON (LAVENA) ON
H.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to December 29, 2009.

S176750 H034497 Sixth Appellate District

**SHREVE (ROBERT) v. S.C.
(PEOPLE)**

The time for granting or denying review in the above-entitled matter is hereby extended to December 29, 2009.

S176754 A119671 First Appellate District, Div. 4

**PEOPLE v. REHFELD (VERA
INEZ)**

The time for granting or denying review in the above-entitled matter is hereby extended to December 30, 2009.

S176758 A122100 First Appellate District, Div. 1

**PEOPLE v. ASKEW
(NATHANIEL)**

The time for granting or denying review in the above-entitled matter is hereby extended to December 30, 2009.

S176764 G042537 Fourth Appellate District, Div. 3

LOPEZ (JUAN R.) ON H.C.

The time for granting or denying review in the above-entitled matter is hereby extended to December 29, 2009.

S176768 G042627 Fourth Appellate District, Div. 3

VON STAICH (IVAN) ON H.C.

The time for granting or denying review in the above-entitled matter is hereby extended to December 30, 2009.

S176770 G042626 Fourth Appellate District, Div. 3

VON STAICH (IVAN) ON H.C.

The time for granting or denying review in the above-entitled matter is hereby extended to December 30, 2009.

S176777 A125915 First Appellate District, Div. 4

MORGAN (ERNEST) ON H.C.

The time for granting or denying review in the above-entitled matter is hereby extended to December 24, 2009.

S176778 G040670 Fourth Appellate District, Div. 3

**PEOPLE v. BURGESS
(JEFFREY LYNN)**

The time for granting or denying review in the above-entitled matter is hereby extended to December 31, 2009.

S176788 E049189 Fourth Appellate District, Div. 2 **URIBE (DAVID RUBEN) v. S.C. (PEOPLE)**

The time for granting or denying review in the above-entitled matter is hereby extended to December 31, 2009.

S176801 A118369 First Appellate District, Div. 2 **PEOPLE v. APPICE (NICHOLAS ERIC)**

The time for granting or denying review in the above-entitled matter is hereby extended to December 31, 2009.

S176814 G042484 Fourth Appellate District, Div. 3 **DIEP (LONG) ON H.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to December 31, 2009.

S176825 G042625 Fourth Appellate District, Div. 3 **VON STAICH (IVAN) ON H.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to December 30, 2009.

S176851 C059957 Third Appellate District **WATSON (LOUIS H.) v. S.C. (MEDICAL BOARD OF CALIFORNIA)**

The time for granting or denying review in the above-entitled matter is hereby extended to December 31, 2009.

S025520 **PEOPLE v. WALDON (BILLY RAY)**

Extension of time granted

Good cause appearing, and based upon Deputy State Public Defender Karen Hamilton's representation that she anticipates filing the appellant's opening brief by September 2010, counsel's request for an extension of time in which to file that brief is granted to January 12, 2010. After that date, only four further extensions totaling about 240 additional days are contemplated.

S034800**PEOPLE v. DEHOYOS
(RICHARD LUCIO)**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Annie Featherman Fraser's representation that she anticipates filing the respondent's brief by March 15, 2010, counsel's request for an extension of time in which to file that brief is granted to January 14, 2010. After that date, only one further extension totaling about 60 additional days is contemplated.

S092240**PEOPLE v. BOYCE (KEVIN
DEWAYN)**

Extension of time granted

Good cause appearing, and based upon Deputy State Public Defender Douglas Ward's representation that he anticipates filing the appellant's opening brief by March 16, 2010, counsel's request for an extension of time in which to file that brief is granted to January 15, 2010. After that date, only one further extension totaling about 60 additional days is contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S107900**PEOPLE v. WRIGHT, JR.,
(WILLIAM LEE)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to January 12, 2010.

S115284**PEOPLE v. TRINH (DUNG
DINH ANH)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to January 15, 2010.

S156682**WILLIAMS (GEORGE
BRETT) ON H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Daniel N. Abrahamson's representation that he anticipates filing the reply to the informal response to the petition for writ of habeas corpus by March 12, 2010, counsel's request for an extension of time in which to file that document is granted to January 11, 2010. After that date, only one further extension totaling about 60 additional days will be granted.

S162212**ERVINE (DENNIS NEWTON)
ON H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Jeannie R. Sternberg's representation that she anticipates filing the reply to the informal response to the petition for writ of habeas corpus by March 16, 2010, counsel's request for an extension of time in which to file that document is granted to January 12, 2010. After that date, only one further extension totaling about 60 additional days is contemplated.

S172918**SCHMAUS (JASON) ON H.C.**

Extension of time granted

On application of petitioner and good cause appearing, it is ordered that the time to serve and file petitioner's reply to informal response is hereby extended to January 5, 2010.

No further extension of time will be granted.

S173260

B208705 Second Appellate District, Div. 6

MOLINA (MIGUEL) ON H.C.

Extension of time granted

On application of the Attorney General and good cause appearing, it is ordered that the time to serve and file the reply brief on the merits is extended to November 23, 2009.

No further extensions of time will be granted.

S175351

D054740 Fourth Appellate District, Div. 1

**PEOPLE v. ANDERSON
(PAUL D.)**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to December 11, 2009.

